

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of November, in the year of our Lord nineteen hundred seventy-six and of the Independence of the United States of America the two hundred and first.

GERALD R. FORD

Proclamation 4477

November 16, 1976

**Modification of Temporary Quantitative Limitations on the Importation into the United States of Certain Articles of Alloy Tool Steel**

*By the President of the United States*

**A Proclamation**

1. On January 16, 1976, the United States International Trade Commission (USITC) reported to the President the results of its investigation under section 201(b) of the Trade Act of 1974 (19 U.S.C. 2251(b)) (the Trade Act). The USITC determined that certain articles of stainless steel or alloy tool steel provided for in items 608.52, 608.76, 608.78, 608.85, 608.88, 609.06, 609.07, and 609.08 of the Tariff Schedules of the United States (TSUS) were being imported into the United States in such increased quantities as to be a substantial cause of serious injury, or the threat thereof, to the domestic industry or industries producing articles like or directly competitive with the imported articles.

2. An orderly marketing agreement was concluded on June 11, 1976, between the Government of the United States of America and the Government of Japan, limiting the export from Japan and the import into the United States of certain articles of stainless steel (except razor blade steel) or alloy tool steel provided for in items 608.52, 608.76, 608.78, 608.85, 608.88, 609.06, 609.07, and 609.08 of the TSUS.

3. On June 11, 1976, by Proclamation 4445, I proclaimed, pursuant to the Constitution and the statutes of the United States (including section 203 of the Trade Act), the imposition of temporary quantitative limitations on the importation into the United States of certain articles of stainless steel or alloy tool steel. These limitations were effective as to those articles entered, or withdrawn from warehouse, for consumption on or after June 14, 1976, and are to continue for a period of three years from that date unless earlier modified, or terminated.

90 Stat. 3105.

19 USC 2253.

4. Alloy "tool steel", as that term is defined in statistical headnote 1(a) of subpart B, part 2, schedule 6 of the TSUS, was included in the finding of the USITC. Steel, so defined, was made subject to the quantitative limitations established by Proclamation 4445, in item 923.24. Subsequent to the issuance of that proclamation I have ascertained that certain alloy tool steel having a chemical composition within the specifications of new headnote 2(a) (iv) proclaimed in paragraph A(iii) below had not either consistently or substantially been historically reported in import statistics as alloy tool steel prior to June 14, 1976. Therefore, the statistics used as a basis for establishing the quantitative limitations for item 923.24 are inaccurate, and the quota quantity provided for that category is substantially understated.

19 USC 1202.

90 Stat. 3105.

5. Section 203(d)(2) of the Trade Act (19 U.S.C. 2253(d)(2)) requires that any quantitative restriction proclaimed pursuant to section 203 subsection (a) or (c), and any marketing agreement negotiated pursuant to subsection (a), shall "permit the importation of a quantity or value of the article which is not less than the quantity or value of such article imported into the United States during the most recent period which the President determines is representative of imports of such article". Based on data that was not available on June 11, 1976, I have determined that the inclusion of the steel described in new headnote 2(a)(iv) proclaimed below in the quantitative limitation for item 923.24 would result in the importation of a quantity or value of specialty steel into the United States which is less than that quantity or value imported into the United States during the most recent period determined by me in recital 6 of the Proclamation 4445 to be representative of imports of alloy tool steel.

6. In order to provide appropriate quantitative limitations in accordance with the statutory requirements referred to in recital 5 above, I have determined to delete item 923.24 and to include alloy tool steel formerly provided for in item 923.24 separately in new items 923.25 and 923.26, and to proclaim separate quantitative limitations for imports included in each new item.

THEREFORE, I, GERALD R. FORD, President of the United States of America, acting under the authority vested in me by the Constitution and the statutes of the United States of America, including section 203 of the Trade Act (19 U.S.C. 2253), do hereby proclaim, until the President otherwise proclaims or until otherwise superseded by law that:

A. Subpart A, part 2, of the Appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is modified as follows:

(i) by deleting "923.24" from the first sentence of headnote 2 and substituting "923.26" in lieu thereof.

(ii) by deleting "923.24" from headnote 2(a)(iii) and substituting "923.25 and 923.26" in lieu thereof.

(iii) by renumbering paragraph (a)(iv) of headnote 2 thereof (a)(v) and inserting the following new paragraph (a)(iv) in numerical sequence:

"(iv) The alloy tool steel provided for in item 923.25 is limited to alloy tool steel of the types provided for in items 608.52, 608.76, 608.78, 608.85, 608.88, 609.06, 609.07, and 609.08, which contain, in addition to iron, each of the following elements by weight in the amounts specified:

carbon: not less than 0.95 nor more than 1.13 percent;  
manganese: not less than 0.22 nor more than 0.48 percent;  
sulfur: none, or not more than 0.03 percent;  
phosphorus: none, or not more than 0.03 percent;  
silicon: not less than 0.18 nor more than 0.37 percent;  
chromium: not less than 1.25 nor more than 1.65 percent;  
nickel: none, or not more than 0.28 percent;  
copper: none, or not more than 0.38 percent;  
molybdenum: none, or not more than 0.09 percent.

(iv) by deleting "923.24" from headnote 2(b) and substituting "923.26" in lieu thereof.

(v) (a) by adding the following sentence after the second sentence to headnote 2(f):

19 USC 1202.

“With respect to item 923.25 there is no limitation specified for the increase permitted in any quota quantity but any establishment or increase in a base limit for item 923.25 must be accompanied by an equal tonnage reduction in the quota quantity from Japan for one or more of the other items during the same restraint period.”

(b) by deleting “923.24” from the tabulation in headnote 2(f) and substituting “923.26” in lieu thereof; and

(c) by inserting the following in the tabulation to headnote 2(f) in numerical sequence:

Restraint Periods						
Item	June 14, 1976-June 13, 1977		June 14, 1977-June 13, 1978		June 14, 1978-June 13, 1979	
	Base limit (1,000 s. tons)	Maximum increase (percent)	Base limit (1,000 s. tons)	Maximum increase (percent)	Base limit (1,000 s. tons)	Maximum increase (percent)
923.25	19.8	No limitation	22.0	No limitation	24.3	No limitation

(vi) by deleting item 923.24 and substituting in lieu thereof the following:

Item	Articles	Quota Quantity (in short tons)		
		Effective on or after—		
		June 14, 1976	June 14, 1977	June 14, 1978
923.25	Alloy tool steel of the types provided for in items 608.52, 608.76, 608.78, 608.85, 608.88, 609.06, 609.07, and 609.08:			
	Alloy tool steel within the specifications of headnote 2(a)(iv):			
	Japan.....	19,800	22,000	24,300
	European Economic Community.....	3,500	3,500	3,500
	Canada.....	65	65	65
	Sweden.....	7,000	8,000	8,000
	Other:			
	Countries entitled to the rate of duty in rates of duty column numbered 1 (total).....	50	50	50
	Other (total).....	None	None	None
	Other (see headnote 2(a)(iii)):			
923.26	Japan.....	3,500	3,700	3,800
	European Economic Community.....	3,400	3,500	3,600
	Canada.....	1,900	2,000	2,000
	Sweden.....	8,500	8,600	8,700
	Other:			
	Countries entitled to the rate of duty in rates of duty column numbered 1 (total).....	3,600	3,700	3,800
	Other (total).....	6	6	6

B. The modifications of subpart A, part 2 of the Appendix to the TSUS, made by this proclamation, shall be effective on the third day after the date of publication of this proclamation in the FEDERAL REGISTER as to articles entered, or withdrawn from warehouse, for consumption on and after June 14, 1976.

19 USC 1202.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of November, in the year of our Lord nineteen hundred seventy-six, and of the Independence of the United States of America the two hundred and first.

GERALD R. FORD